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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LOYD F. SCHMUCKLEY, JR. et al.,

Plaintiffs,

v.

WALGREEN CO.,

Defendant.

No. 2:17-cv-00673-KJM-EFB

ORDER

On May 16, 2017, this court ordered plaintiffs to show cause why, after unsealing the first amended complaint and notice of intervention in this case, the balance of the docket should remain under seal. ECF No. 60. On May 30, 2017, plaintiffs responded. ECF No. 62.

Plaintiffs state a portion of the original complaint in this case was severed and transferred under seal in the Eastern District of Wisconsin where a related case is being litigated. *Id.* at 2. On April 19, 2017, the Wisconsin district court ordered a redacted version of this complaint be filed in that court. *Id.* A settlement reached between plaintiffs and Walgreen dismisses all claims in this action except those severed and transferred to the Wisconsin district court. *Id.* Plaintiff contends if the court unseals the balance of the docket, including the original complaint, the Wisconsin claims would be made public, effectively harming the ongoing *qui tam* investigation in the Wisconsin district court. *Id.*

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The court finds this reason suffices to maintain the seal here for now. *See U.S. ex rel. Lee v. Horizon Wests, Inc.*, No. C 00-2921 SBA, 2006 WL 305966, at \*2 (N.D. Cal. Feb. 8, 2006) (generally, “lifting the seal on the entire record is appropriate unless the government shows that such disclosure would . . . jeopardize an ongoing investigation”). Accordingly, the court ORDERS the balance of the docket remain under seal pending further developments in the Wisconsin district court action. Plaintiffs are hereby ORDERED to provide a status report on the Wisconsin court’s proceedings within 90 days of the date of this order, and every 90 days thereafter until relieved of the obligation by this court. The order to show cause is hereby DISCHARGED.

This order resolves ECF No. 60.

IT IS SO ORDERED.

DATED: July 17, 2017.

  
UNITED STATES DISTRICT JUDGE